

REMARKS / ARGUMENTS

Applicant has carefully reviewed the Examiner's comments and appreciates the careful consideration given to the allowed claims. As noted above and discussed below the other remaining Claims also include important differences between applicants invention and the disclosures of references cited by the examiner.

Claim 10 as amended clearly distinguishes it from the teachings of the newly cited Holtermann reference. The "flat band" (the tube) in Holtermann is specifically stated to be "contained entirely inside the bag". The ostomy bag of the Holtermann patent would be dysfunctional if its "tube" were external to the bag's chamber, and there certainly is no teaching of any external tube in Holtermann. Moreover, the Holtermann reference provides no teaching of the tube being separable from the bag. Conversely, the Holtermann bag would apparently be destroyed if any part of the Holtermann tube were separated from the Holtermann bag. The external walls to which the Holtermann tube as attached (sealed) would apparently be breached if any such separation were attempted. As revealed in commercial ostomy bags, "weld seams" such as those holding the Holtermann tube in the bag result from a melting of the plastics together. Thus even a skilled surgeon would not be able to separate them dependably without ruining the bag. There is no suggestion for any such separation in Holtermann and one would not expect there to be. Such logic apparently arises from a hindsight analysis of applicant's teaching in the subject application. The differences between the Holtermann ostomy bag and the bags according to the present invention are, indeed, substantial.

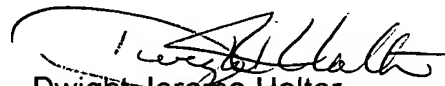
With respect to Claims 17 and 18, applicant has amended independent claim 17 which should obviate the rejection. Moller describes a filter having filter material sandwiched between two layers of impermeable sheets that are connected by connecting strings. The flat sandwich is formed when the filter is made. Although the filter is bendable, it is not formed into a tube when gas passes through it. The Moller tube, to the extent the filter could be called a tube, is already formed when the filter is manufactured. The sandwich is a filter, the outer bounds of which are relatively fixed! Gas passing through the filter does not appreciably modify its shape. Moller's spaced apertures 49 have no interval seals between the apertures. The examiner has referred to Moller's bag 14 as a "seal." That is a major distortion of the term "seal". In the ostomy art the term "seal" appropriately refers to a weld sealing of one layer of plastic to another. As indicated above, such welds provide a melting together of the adjacent plastic layers. As recited in amended claim 17 above, the seal of the instant application blocks the flow in the tube thereby guiding the gas flow out the aperture into an attached filter. In Moller the gas flows into the filter (which is inside ostomy bag 14) through the

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filter's uncovered edges. The filtered gas then flows out of the filter through the spaced apertures and then out into the atmosphere via the aperture(s) in the ostomy bag. In applicant's claims 17 and 18, the opposite is true. According to applicant's invention, because of the intervening seal, the gas (which is already outside the bag and in the external tubing) flows out of the subject tubing through the spaced aperture into the mated filter (also outside the bag). Then, potentially, after passing through the filter (outside of the bag) the residual gas flows back into the next tubing section (for potential routing through subsequent separate, but similar or identical, exterior filters). Thus, applicant's invention is diametrically opposed to the teaching of Moller.

In view of the above, all of the claims remaining in this application are now believed to be allowable. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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